

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTHONY FREEMAN,

Plaintiff,

v.

OFFICER WILLIAM MURPHY, et al.,

Defendants.

CIVIL ACTION
NO. 13-1579

ORDER

AND NOW, this 24th day of February 2014, upon consideration of Defendants' Motion to Partially Dismiss Plaintiff's Amended Complaint (Doc. No. 11), Plaintiff's Response (Doc. No. 12), and the arguments of counsel at the September 20, 2013 hearing, it is **ORDERED** that:

1. Defendants' Motion to Partially Dismiss Plaintiff's Amended Complaint (Doc. No. 11) is **GRANTED** on Count II.
2. Defendants' Motion to Partially Dismiss Plaintiff's Amended Complaint (Doc. No. 11) is **DENIED** on Count IV.
3. Plaintiff's claim for malicious prosecution under Pennsylvania state law (contained in Count IV) is **DISMISSED** by agreement of the parties at the September 20, 2013 hearing.
4. The case will proceed with respect to Counts I, III, IV, and V. Defendants are **ORDERED** to file an Answer to the Amended Complaint within twenty days of this Order.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.